

10/768,431

LUC-463/Barclay 12-10-6-9

REMARKS

Claims 1-20 and 22-24 are pending in the application. Claims 1-20 and 22-24 were rejected under 35 U.S.C. § 103 (a).

Rejections Under 35 U.S.C. § 103 (a)**Rejection Under Havinis, Kohar, Kalev, Hsu and Lipsanen**

Claims 1, 18 and 24 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over U. S. Patent Number 6,463,289 issued to Havinis on October 8, 2002 in view of U. S. Patent Number 6,987,976 issued to Kohar on January 16, 2006 and U.S. Patent Number 6,308,071 issued to Kalev on October 23, 2001 and U.S. Patent Number 7,272,387 issued to Hsu et al. on September 18, 2007 and U. S. Patent Number 7,103,345 issued to Lipsanen on September 6, 2006.

Applicants respectfully traverse this ground of rejection for the following reasons.

First, applicants' claim 1 recites,

"a network component that employs a) one or more call characteristics to make a determination to initiate a request to a switch component for one or more positions of one or more mobile stations and b) one or more call parameters to identify one or more cellular network cells associated with the one or more mobile stations, wherein at least one of the one or more call parameters employed to identify one of the one or more cellular network cells is a telephony number of at least one of the one or more mobile stations; and

wherein the network component receives, in response to the request, the one or more positions of the one or more mobile stations from a position component that determines the one or more positions of the one or more mobile stations continuously; and

wherein the switch component assigns a channel to the at least one of the one or more mobile stations for a call upon a comparison of a calling party number with the at least one of the one or more call parameters."

10/768,431

LUC-463/Barclay 12-10-6-9

Havinis discloses a cellular network for defining restricted positioning areas by geographical location. The restricted area information can be established by the cellular network or a mobile subscriber. Havinis discloses a Gateway Mobile Location Center 290 (GLMC 290), which the Examiner has equated to applicants' "network component", and Havinis discloses a Serving Mobile Location Center 270 (SMLC 270), which the Examiner has equated to applicants' "position component". See page 7 of the Office Action.

As stated in the Office Action, Havinis does not specifically disclose "wherein the network component receives, in response to the request, the one or more positions of the one or more mobile stations from a position component that determines the one or more positions of the one or more mobile stations continuously". The Examiner proposes to combine Kohar with Havinis to achieve this limitation. However, applicants assert that the proposed combination of Havinis and Kohar fails to teach or suggest this limitation, because applicants' claim 1 requires the use of only **one** position component. By contrast, the Examiner proposes to use **two different** types of position components in order to achieve applicants' claim 1. In particular, the Examiner proposes to use 1) Havinis' Serving Mobile Location Center 270 (SMLC 270) and 2) Kohar's position determining means 8. However, there is no way to combine these two devices so as to form applicants' recited "**a position component**", because Havinis requires a request from a switch, i.e., MSC/VLR 14, in order for the position component to determine a mobile's position as stated in column 3, lines 26-40. By contrast, Kohar does not require a request from a switch in order for the position component to determine a mobile's position. Kohar determines a mobile's position continuously or upon request of a second mobile terminal as stated in column 3, lines 25-27. Thus, the proposed combination is improper.

Second, as stated in the Office Action, Havinis as modified by Kohar does not disclose "a network component that employs one or more call parameters to identify one or more cellular network cells associated with the one or more mobile stations". The Examiner proposes to combine Kalev with Havinis to achieve this limitation. However, applicants assert that the proposed combination of Havinis and Kalev fails to teach or suggest this limitation, because applicants' claim 1 requires the use of only **one**

10/768,431

LUC-463/Barclay 12-10-6-9

network component. By contrast, the Examiner proposes to use **two different types of network components** in order to achieve applicants' claim 1. In particular, the Examiner proposes to use 1) Havinis' Gateway Mobile Location Center 290 (GLMC 290), which requests routing information from HLR 26 and sends positioning requests to MSC/VLR 14, as stated in column 4, lines 35-46 and 2) Kalev's base station controller 4, that employs one or more call parameters, as asserted by the Examiner. However, there is no way to combine these two devices so as to form applicants' recited "**a network component that employs one or more call parameters to identify one or more cellular network cells associated with the one or more mobile stations**".

Third, the Examiner proposes to combine Lipsanen with Havinis as modified by Kohar, Kalev and Hsu. However, applicants assert that the proposed combination of Havinis as modified by Kohar, Kalev and Hsu with Lipsanen does not reflect the specific limitations recited in applicants' claim 1 since the resultant system would not be a properly functioning system. Specifically, the Office Action states that Kalev teaches a network component, i.e., base station controller 4, that employs one or more call parameters, i.e., location area code and cell identity, to identify one or more cellular network cells associated with the one or more mobile stations. Also, the Office Action states that Hsu discloses the use of a **telephony number**, i.e., the **MSISDN** of a **mobile station**, as a specific call parameter, i.e., "at least one of the one or more call parameters", to identify one or more cellular network cells associated with the one or more mobile stations.

By contrast, Lipsanen does not teach the use of a telephony number, i.e., the MSISDN of a mobile station, as a specific call parameter as done in Hsu. Instead, the Examiner asserts "assigning a channel communication for a call between mobile terminal 4 and a fixed telephone 5, wherein the MSC searches a database to verify the A-number before assigning a channel for communication between the mobile telephone 4 and fixed telephone 5" as a specific call parameter. However, the system resulting from the proposed combination of Havinis as modified by Kohar, Kalev and Hsu with Lipsanen would not be a properly functioning system, because "assigning a channel communication for a call between mobile terminal 4 and a fixed telephone 5, wherein the MSC searches a database to verify the A-number before assigning a channel for

10/768,431

LUC-463/Barclay 12-10-6-9

communication between the mobile telephone 4 and fixed telephone 5" as done in Lipsanen cannot be used as a call parameter to "identify one or more cellular network cells associated with the one or more mobile stations" as done in Hsu. Thus, the proposed combination of Lipsanen with Havinis as modified by O'Donnell, Kalev and Hsu is improper.

Therefore the proposed combination of Havinis as modified by Kohar, Kalev, Hsu and Lipsanen does not teach or suggest all of the limitations in applicants' claim 1, and therefore claim 1 is allowable over the proposed combination. Since claims 2-13, 16-17 and 22-24 depend from allowable claim 1, these claims are also allowable over the proposed combination.

Independent claims 18 and 21 each have a limitation similar to that of independent claim 1, which was shown is not taught by the proposed combination. For example, claims 18 and 21 recite, "wherein a switch component assigns a channel to the at least one of the one or more mobile stations for a call upon a comparison of a calling party number with the at least one of the one or more call parameters". The proposed combination of Havinis, Kohar, Kalev, Hsu and Lipsanen does not teach or suggest this limitation for the above-mentioned reasons. Therefore, claims 18 and 21 are likewise allowable over the proposed combination. Since claims 19-20 depend from claim 18, these dependent claims are also allowable over the proposed combination.

Rejections Under Havinis, Kohar, Kalev, Hsu, Lipsanen, O'Donnell, Jeong and Alperovich

Claims 2-13, 16-17, 19-29 and 23 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Havinis in view of Kohar, Kalev, Hsu and Lipsanen as applied to claim 1, and further in view of U.S. Patent Number 6,288,514 issued to O'Donnell on July 24, 2001.

Claims 14 and 15 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Havinis in view of Kohar, Kalev, Hsu, Lipsanen and O'Donnell as applied to claim 13, and further in view of U.S. Patent Application Number 20050119013 issued to Jeong et al. dated June 2, 2005.

10/768,431

LUC-463/Barclay 12-10-6-9

Claim 22 was rejected under 35 U.S.C. § 103 (a) as being unpatentable over Havinis in view of Kohar, Kalev, Hsu, Lipsanen and O'Donnell as applied to claim 16, and further in view of U.S. Patent Number 6,233,448 issued to Alperovich et al. on May 15, 2001.

Applicants respectfully traverse these grounds of rejection.

These rejections are based on the rejection under Havinis, Kohar, Kalev, Hsu and Lipsanen being proper. As that ground of rejection has been overcome, and none of the cited references teach or suggest "wherein a switch component assigns a channel to the at least one of the one or more mobile stations for a call upon a comparison of a calling party number with the at least one of the one or more call parameters", as recited in applicants' independent claims 1, 18 and 21, the proposed combinations of Havinis, Kohar, Kalev, Hsu, Lipsanen, O'Donnell, Jeong and Alperovich does not supply this missing element. Thus, these combinations do not make obvious any of applicants' claims, all of which require the aforesaid limitation.

10/768,431

LUC-463/Barclay 12-10-6-9

Conclusion

It is respectfully submitted that the Office Action's rejections have been overcome and that this application is now in condition for allowance. Reconsideration and allowance are, therefore, respectfully solicited.

In view of the above amendments and remarks, allowance of all claims pending is respectfully requested. If a telephone conference would be of assistance in advancing the prosecution of this application, the Examiner is invited to call applicants' attorney.

Respectfully submitted,



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